Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
New Part 4 of the Commission's Rules Concerning Disruptions to Communications	)	ET Docket No. 04-35

REPLY COMMENTS OF VERIZON[1] IN SUPPORT OF BELLSOUTH CORPORATION'S PETITION FOR RECONSIDERATION

Verizon agrees with the Alliance for Telecommunications Industry Solutions ("ATIS") and TDS Telecommunications Corporation ("TDS") that BellSouth Corporation's ("BellSouth") petition for reconsideration regarding outage reporting for non-intelligent network components should be granted.[2] The Commission should adopt BellSouth's proposal and change the metric used for identifying and reporting these outages such that carriers are required to report only those outages that affect 600 or more cable pairs for five or more days after discovery. Using BellSouth's proposed metric will provide the Commission relevant information regarding network reliability without imposing burdensome reporting obligations that are ill-suited for passive network components.

In its *Report and Order*, the Commission recognized that although having a uniform metric for outage reporting was appealing, differences in the way that different communications

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[1] The Verizon telephone companies are the local exchange and interexchange carriers affiliated with Verizon Communications Inc., listed in Attachment A.

[2] *See generally* Comments of the Alliance for Telecommunication Industry Solutions, ET Docket No. 04-35 (filed Mar. 2, 2005) ("*ATIS Comments*"); Comments of TDS Telecommunications Corp., ET Docket No. 04-35 (filed Mar. 2, 2005) ("*TDS Comments*") at 4-5; *see also* BellSouth Corporation Petition for Reconsideration and/or Clarification, ET Docket No. 04-35 (filed Jan. 3, 2005) ("*BellSouth Petition*") at 2-8.

systems work may necessitate variations in the way that outages in different systems are measured.[3] The same is also true of different components of a single communications network – an outage reporting metric that may be sensible as applied to many network components may have unintended and illogical consequences when applied to other network components. That is precisely the result when the Commission's "user minute" metric for outage reporting is applied to non-intelligent network components. A change in the reporting metric for these network components, as proposed in BellSouth's petition, is therefore warranted.

BellSouth's petition focuses on two types of "non-intelligent" network components: feeder cable and digital loop carrier ("DLC") systems. Feeder cable is plain copper cable that is buried underground or suspended from telephone poles and that connects a carrier's end office with customer locations. Feeder cable is a passive network element that allows calls to be carried from the end office to the customer's location; it does not perform any processing or routing of calls, nor is it subject to electronic failure. DLC systems are similarly passive. DLC systems extend the reach of a carrier's network, permitting a carrier to use fiber cable to extend local loops further from its end office than copper cable can effectively transmit a call. Like feeder cable, DLC systems provide an avenue on which calls can travel. DLC systems are not capable of any action without direct intervention by the serving central office. They do not route calls or provide dial tone to end users, and their processing capabilities are limited to multiplexing calls for transport to the central office. Because of their passive nature, these network components are not subject to the types of systemic or processing failures that may

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[3] *New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 16830 at ¶ 50 (2004) ("*Report and Order*"); *see also New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, Notice of Proposed Rulemaking, 19 FCC Rcd 3373 at ¶ 21 (2004).

affect switches or other intelligent network components. Rather, both feeder cable and DLC systems are located in the field, where, although they are protected, they are subject to damage from environmental factors and interference by third parties. As a result, outages in these components are overwhelmingly attributable to external physical causes – such as high winds knocking down a telephone pole, a backhoe accidentally cutting through buried cable, a broken water main flooding a manhole, or inclement weather knocking out commercial electrical power.[4]

Because of the nature of these network components and the outages that affect them, the Commission should reconsider its metric for reporting these types of outages, balancing the heavy reporting burdens created by the current reporting metric against the new information that can be gleaned from these reports. Under the current rules, carriers must spend substantial resources analyzing reportability and completing outage reports for these passive network components, diverting time and attention from the task of restoring service. As BellSouth emphasized in its petition and as ATIS and TDS echoed in their comments, the design of these network components does not permit ready determination of the actual number of end users potentially affected by an outage, thus making it difficult to determine within the initial reporting period whether any single outage even meets the reporting threshold.[5] Moreover, the change in reporting metric has caused the number of outage reports for these network components to

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[4] Of the 67 outages that Verizon reported in these types of network components between January 3 and March 8, 2005, all but two were attributable to these types of external factors. Examples include copper cable loops severed by construction crews, utility workers, or vandals; automobile accidents pulling down telephone poles and cables; copper cable burned in a house fire; extended commercial power failures; and even animals chewing on phone lines. *See* Verizon Outage Reports, at http://inonsac.verizon.com/rnr/fcc_reportables.asp.

[5] *See BellSouth Petition* at 2-8; *ATIS Comments* at 3-7; *TDS Comments* at 4-5.

"dramatically increase," contrary to the Commission's prediction.[6] For example, Verizon has been required to report 67 outages in feeder cable and DLC systems from January 3 through March 8, 2005 – an average of one per day – as compared with only one for the entire year of 2004.[7] Reporting these types of outages under the new rules consumes a disproportionate share of carriers' overall outage reporting: outages in feeder cable and DLC systems have made up approximately 30% of Verizon's final outage reporting between January 3 and March 8, 2005. This sizeable reporting burden necessarily diverts resources that would be better kept focused on resolving the outage.

Yet, despite the heavy burden of reporting these outages under the current user-minute metric, the knowledge gained by studying outages in these components is somewhat limited. The fact that external environmental factors and third party actions can damage the outside plant of the telecommunications network is nothing new to carriers or to the Commission. Unlike outages in intelligent network components, which help to identify patterns indicating strengths or weaknesses in the network, outages in these non-intelligent network components are generally caused by individual isolated incidents involving uncontrollable physical factors, such as inclement weather or third parties' negligence. And unlike deficiencies in intelligent network components, which may be addressed through broad-reaching solutions such as programming or equipment design, outages in feeder cables and DLC systems most often must be repaired by engineers traveling to the damaged site and physically repairing the harm.

To be sure, one can imagine situations where outages in non-intelligent network components would not be isolated events to be resolved individually, but rather could be

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6 *Report and Order* at ¶ 90.

7 *See* Verizon Outage Reports, at http://inonsac.verizon.com/rnr/fcc_reportables.asp. In 2004, Verizon filed only one outage report involving feeder cable or DLC systems. The report related to pair gain outages caused by the hurricane that struck Tampa, Florida.

resolved on a broader basis. For example, widespread outages in the same geographic area caused by wind knocking down above-ground cable may suggest that persistent windy conditions make buried cable more appropriate for that geographic location. But to the extent that there may be interrelated outages in these network components, the current "user-minute" metric is not necessary to reveal them. The substantial burden associated with the current reporting metric outweighs any benefit of using that metric to report outages in non-intelligent network components.

By contrast, BellSouth's proposal for a different outage reporting metric strikes the proper balance between ensuring that substantial outages are reported without unnecessarily burdening carriers with onerous reporting responsibilities. As detailed in its petition, BellSouth proposes requiring outages in non-intelligent network components based on the number of cable or derived pairs affected by the outage for an established interval of time. The number of cable or derived pairs affected by an outage is a metric commonly used throughout the industry. Because cable pairs are a familiar measure that is readily ascertainable, using this metric would substantially lessen the difficulties in determining whether any single outage is reportable. Relying on a set period of time for an outage, rather than a sliding scale that changes depending on the number of users affected, also would ease the current burden of reporting outages in non-intelligent network components.

Moreover, the specific cable-pair metric proposed by BellSouth is a reasonable one. BellSouth proposes that outages should be reported if 600 or more cable or derived pairs are out of service for more than five calendar days after discovery.[8] The 600-pair measure and five-day threshold ensures that substantial outages, including patterns of related outages, would be

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[8] *BellSouth Petition* at 7.

brought to the Commission's attention without overly burdening the Commission or carriers with numerous reports of minor, isolated service disruptions. BellSouth's proposed metric would thereby assist the Commission and carriers in focusing on these more substantial outages while ensuring that resources remain available to restore service as quickly as possible. In addition, BellSouth's proposed five-day standard is consistent with the five-day threshold currently in place for DS3 simplex reporting, thus minimizing the number of different standards applicable throughout the network.[9]

CONCLUSION

For these reasons, the Commission should grant BellSouth's petition for reconsideration of the "user minute" metric for reporting outages in non-intelligent network components.

Respectfully submitted,

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March 14, 2005

[9] *See New Part 4 of the Commission's Rules Concerning Disruptions to Communications,* Order Granting Partial Stay, 19 FCC Rcd 25039, at ¶ 9 (2004).

ATTACHMENT A

THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc. These are:

Contel of the South, Inc. d/b/a Verizon Mid-States
GTE Southwest Incorporated d/b/a Verizon Southwest
The Micronesian Telecommunications Corporation
Verizon California Inc.
Verizon Delaware Inc.
Verizon Florida Inc.
Verizon Hawaii Inc.
Verizon Maryland Inc.
Verizon New England Inc.
Verizon New Jersey Inc.
Verizon New York Inc.
Verizon North Inc.
Verizon Northwest Inc.
Verizon Pennsylvania Inc.
Verizon South Inc.
Verizon Virginia Inc.
Verizon Washington, DC Inc.
Verizon West Coast Inc.
Verizon West Virginia Inc.